

REMARKS/ARGUMENTS

The specification and Abstract have been amended to correct typographical errors.

Claims 3-18, 20, 21, 23-28 are pending. Claims 3-18, 20, 21, 23-28 have been rejected. Claims 1, 2, 19, and 22 have been cancelled.

Claim Rejections – 35 U.S.C. §102(b)

Claims 3, 5-9, 11, 12, 17, and 20-21 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,584,716 to Bergman ("Bergman '716").

Bergman '716 discloses terminal bodies for compressors, such as terminal body 260, shown in Fig. 14, for example. Terminal body 260 includes an integral fence 264 and a flat annular section 268. As shown in Fig. 14, flat annular section 268 includes a portion which extends into an aperture formed in shell 12 of a compressor housing. Terminal assembly 260 is mounted to shell 12 by resistance welding, denoted as Xs in Fig. 14, between flattened section 270 of shell 12 and flat annular section 268 of terminal body 260.

Claim 3 has been rewritten in independent form to incorporate all of the limitations of Claim 1, as well as intervening Claim 2. Applicants respectfully submit that amended independent Claim 3 is not anticipated by Bergman '716, as Bergman '716 fails to disclose each and every limitation called for in amended independent Claim 3. Specifically, amended independent Claim 3 calls for, *inter alia*, a hermetically sealed housing including a housing wall with an interior surface and a cylindrical exterior surface, the housing wall defining an aperture extending through the housing wall, and a terminal block mounted on the housing wall proximate the aperture, *the terminal block having a concave mating surface flushly engaged with the cylindrical exterior surface of the housing wall* and forming a hermetic seal with the cylindrical exterior surface, the concave mating surface encircling the aperture.

Referring to Bergman '716, each embodiment of the hermetic terminal assembly disclosed therein is configured for mating with flattened portion 270 of hermetic shell 12. Thus, Bergman '716 fails to disclose a terminal block having a *concave mating surface flushly engaged with the cylindrical exterior surface* of the housing wall. In forming this rejection, the Examiner contends that terminal block 260, shown in Fig. 14 of Bergman '716, includes a mating surface 268 engaged with the exterior surface of housing 12 and that welds, denoted as Xs, form a concave mating surface. Even assuming, *arguendo*, that the Examiner's position is correct and Bergman '716 discloses a terminal block having a concave

mating surface, Bergman '716 still fails to disclose a concave mating surface *flushly engaged* with the *cylindrical* exterior surface of a housing wall and forming a hermetic seal with the *cylindrical* exterior surface. Specifically, in every embodiment of housing 12 disclosed and depicted in Bergman '716, housing 12 includes flattened section 270 configured for mating with the flattened periphery of the terminal bodies of Bergman '716.

Thus, for at least the foregoing reasons, Applicants respectfully submit that amended independent Claim 3, as well as Claims 5-9, 11, and 12, which depend therefrom, are not anticipated by Bergman '716.

Applicants respectfully submit that amended independent Claim 17 is not anticipated by Bergman '716, as Bergman '716 fails to disclose each and every limitation called for in amended independent Claim 17. Specifically, amended independent Claim 17 calls for, *inter alia*, a hermetically sealed housing defining an interior space and including a housing wall, the housing wall defining an aperture in communication with the interior space, and a terminal block positioned over the aperture, wherein substantially no portion of the terminal block extends into the aperture or engages the sidewall forming the aperture, the terminal block welded to the exterior surface of the housing at a location spaced radially outwardly of the aperture.

Referring to Bergman '716, each and every terminal body disclosed therein includes a portion of the terminal body which extends into the aperture formed in shell 12. For example, referring to Fig. 14, bottom portion 268 extends into the aperture formed in shell 12. Thus, Bergman '716 fails to disclose a terminal block positioned over an aperture, wherein substantially no portion of the terminal block extends into the aperture or engages the sidewall forming the aperture.

For at least the foregoing reasons, Applicants respectfully submit that amended independent Claim 17, as well as Claims 20 and 21, which depend therefrom, are not anticipated by Bergman '716.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 23, 27, and 28 are rejected under 35 U.S.C. § 103(a) as being obvious over Bergman '716.

Applicants respectfully submit that amended independent Claim 27 is not obvious over Bergman '716. Specifically, Bergman '716 fails to disclose or suggest a method of

Application Serial No. 10/675,313
Amendment dated January 29, 2007
Reply to Office Action dated November 3, 2006

assembling a hermetic compressor, including the steps of, *inter alia*, providing a housing having a housing wall with an interior surface and a *cylindrical exterior surface*, forming an aperture in the housing wall, forming a *concave mating surface* on a terminal block wherein the mating surface is *flushly engageable with the cylindrical exterior surface* of the housing wall.

As discussed above with respect to amended independent Claim 3, in every embodiment of housing 12 disclosed and depicted in Bergman '716, housing 12 includes flattened section 270 configured for mating with the flattened periphery of the terminal bodies disclosed therein. Further, Bergman '716 fails to provide any suggestion of forming a *concave mating surface* on a terminal block wherein the mating surface is *flushly engageable with the cylindrical exterior surface* of the housing wall.

Thus, Applicants respectfully submit that amended independent Claim 27, as well as Claims 23 and 28, which depend therefrom, are not obvious over Bergman '716.

Claims 4 and 24-26 are rejected under 35 U.S.C. § 103(a) as being obvious over Bergman '716 in view of U.S. Patent No. 5,227,587 to Paterek ("Paterek '587"). In forming this rejection, the Examiner relies on Bergman '716 as disclosing or suggesting all of the limitations of amended independent Claims 3 and 27, from which Claims 4 and 24-26 depend, respectively. For the reasons set forth above with respect to amended independent Claims 3 and 27, Bergman '716 fails to disclose or suggest the limitations of amended independent Claims 3 and 27. The Examiner's further citation of Paterek '587 fails to overcome this deficiency as Bergman '716 nor Paterek '587, either alone or in combination, fail to disclose or suggest a *terminal block having a concave mating surface flushly engaged with the cylindrical exterior surface of the housing wall* or forming a *concave mating surface* on a terminal block wherein the mating surface is *flushly engageable with the cylindrical exterior surface* of the housing wall, as called for in amended independent Claims 3 and 27, respectively.

For at least the foregoing reasons, Applicants respectfully submit that Claims 4 and 24-26, which depend from amended independent Claims 3 and 27, respectively, are not obvious over Bergman '716 in view of Paterek '587.

Claims 10 and 18 are rejected under 35 U.S.C. § 103(a) as being obvious over Bergman '716 in view of U.S. Patent No. 5,252,036 to Bunch et al ("Bunch '036"). Claims 10 and 18 each call for, *inter alia*, a terminal block disposed entirely outwardly of the exterior

surface of a housing wall. The Examiner has indicated, and Applicants respectfully agree, that Bergman '716 fails to disclose or suggest this limitation. Thus, in forming this rejection, the Examiner relies on Bunch '036 for disclosing or suggesting a terminal block disposed entirely outwardly of the exterior surface of a housing wall.

Bunch '036 discloses terminal cluster 14 that preferably "comprises a cylindrical cup 22 welded to housing 10, with cup 22 containing a plurality of pins 24 extending out of the housing 10." Bunch '036, column 3, lines 61-64. Additionally, Bunch '036 further discloses terminal cluster 14 "is of known design and is similar to that described in U.S. Pat. No. 4,406,590, which is expressly incorporated by reference herein." Bunch '036, column 3, lines 59-61. Referring to U.S. Patent No. 4,406,590 to Kessler, the terminal cluster disclosed therein is a cup-shaped terminal cluster having a portion extending through the aperture formed in the housing of the compressor. Thus, the terminal cluster of Kessler '590 has the same general design as the terminal bodies of Bergman '716. Further, referring to Fig. 2 of Bunch '036, any depiction of terminal cluster 14 therein is precluded by heater 12, which labeled in Fig. 2 and extends throughout the entirety of the space defined between housing 10 and gasket 42. Thus, Bunch '036 fails to disclose or suggest a terminal block disposed entirely outwardly of the exterior surface of a housing wall.

For at least the foregoing reasons, Applicants respectfully submit that Claims 10 and 18, which depend from amended independent Claims 3 and 17, respectively, are not obvious over Bergman '716 in view of Bunch '036.

Claims 13-16 are rejected under 35 U.S.C. § 103(a) as being obvious over Bergman '716 in view of U.S. Patent Publication No. 2002/0029469 to Bunch et al. ("Bunch '469").

Bunch '469 discloses terminal assembly 50, shown in Fig. 3, including a plurality of conducting pins 56 extending therethrough. Configured for attachment to terminal assembly 50 is connector assembly 54. Referring to Figs. 5 and 6, terminal assembly 54 includes cover 80 having a plurality of slots 88 formed therein and base 78 having a plurality of tabs 82 extending therefrom. Tabs 82 of base 78 engage slots 88 of cover 80 to secure the two components together. Additionally, positioned within groove 114 of base 78 is O-ring 118. Referring to Fig. 3, O-ring 118 engages the interior of terminal assembly 50 to frictionally secure connector assembly 54 to terminal assembly 50.

Applicants respectfully submit that independent Claim 13 is not obvious over Bergman '716 in view of Bunch '469. In forming this rejection, the Examiner relies on Bergman '716 for disclosing or suggesting all of the limitations of independent Claim 13 except for a cover having a plurality of radially inwardly projecting tabs engageable with a groove to mount the cover to the terminal block with the cover substantially enclosing an outwardly projecting end of at least one terminal pin. However, the Examiner's additional citation of Bunch '469 fails to overcome the deficiencies of Bergman '716, as Bunch '469 fails to disclose or suggest a cover having a plurality of radially inwardly projecting tabs engageable with a groove to thereby mount the cover to the terminal block with the cover substantially enclosing an outwardly projecting end of at least one terminal pin, as required by independent Claim 13.

In contrast to amended independent Claim 13, Bunch '469 discloses the use of slots 88 and tabs 82 to form a connection, not between a cover and a terminal block as required by amended independent Claim 13, but between two independent components of a separate connector assembly 54. In contrast to the requirements of independent Claim 13, the engagement between connector assembly 54 and terminal assembly 50 is provided by a friction fit of O-ring 118 within terminal assembly 50. Additionally, a person of ordinary skill in the art would lack any motivation to reconfigure the terminal assembly disclosed in Bergman '716 to utilize the securement structure of connector assembly 54 of Bunch '469, as the terminal assemblies of Bergman '716 already have a cover, for example, plug 262, shown in Fig. 14.

For at least the foregoing reasons, Applicants respectfully submit that independent Claim 13, as well as Claims 14-16, which depend therefrom, are not obvious over Bergman '716 in view of Bunch '469.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested. Specifically, Applicants respectfully submit that the application is in condition for allowance and respectfully requests allowance thereof.

In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefor and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Application Serial No. 10/675,313
Amendment dated January 29, 2007
Reply to Office Action dated November 3, 2006

Should the Examiner have any further questions regarding any of the foregoing, he is respectfully invited to telephone the undersigned at 260-424-8000.

Respectfully submitted,



Matthew B. Skaggs
Registration No. 55,814

Attorney for Applicants

MBS/nw

BAKER & DANIELS LLP
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: January 29, 2007

MATTHEW B. SKAGGS, REG. NO. 55,814

Name of Registered Representative



Signature

January 29, 2007

Date